REMARKS

The undersigned hereby confirms the election of claims 32-41 for prosecution with traverse. Applicants respectfully request rejoinder in light of the amendments above that change the independent method claims into claims that depend from the elected composition specified in claim 32.

Section 112

The examiner rejected claims 32-41 under 35 U.S.C. § 112, 2nd paragraph. Specifically, the examiner questioned the calculation basis for the percentages identified in claims 32 and 41 as well as the scope of "derivatives" in claim 36. Claim 36 has been amended to remover references to "derivatives". Claims 32 and 41 have been amended to indicate that the calculation basis for each percentage is by weight of the total composition. See, paragraph 0023 in the originally filed application.

Rejections for Anticipation

Claims 32, 34, and 36-40 were rejected as anticipated by the polyethylene oxide ethers of fatty alcohol that are described in Kishino et al. (US 4,150,155). Kishino et al. does not, however, teach or suggest the present invention.

Notably, the active ingredient in Kishino et al. is dissolved in large quantities of solvent and applied to a solid carrier. Any emulsifying agent is used to enhance the wetting of the solid by the dissolved active ingredient. Kishino et al. does not teach the extrusion of particulate active ingredient with a lubricious mixture of a polymeric lubricant or that such a dissolved polymeric lubricant can also act as a binder for the granule when the solvent is removed. Reconsideration is respectfully requested.

Claims 32-36 were rejected as anticipated by Chan (US 5,100,667). Like the other reference, this patent does not teach or suggest the claimed invention.

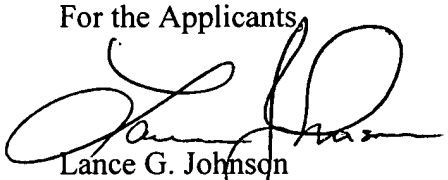
Chan '667 teaches a solvent-free (col. 3, lines 26-27) method for granulating acephate with a heat softenable surfactant (col. 4, lines 29-34), some of which are sold under the

PLURONIC trademark, but which are used in an amount of less than 10 wt% based on total composition weight (col. 4, lines 65-67). Dehydrating agents are added to absorb trace amounts of water that may enter the system (col. 4, lines 21-23). Importantly, the extrusion mixture is "dry" (col. 4 at lines 60-61). No solvent is added to the system (col. 5, lines 2-3) although trace amounts of water 2 wt% based on surfactant weight. By calculation, the adsorbed water that might enter the disclosed system would be less than 0.2 wt% on total weight, and even that amount would be absorbed by added the magnesium sulfate dehydrating agent. Granulation occurs when the surfactant (binder) is softened or melted at the extrusion nozzle. The granule is then cut and cooled. Necessarily, the exit temperature at the die must be carefully monitored and controlled to avoid degrading the acephate active with heat, hydrolysis, and/or oxidation.

In contrast, the present invention avoids the heat history and careful extrusion die temperature controls required by Chan '667. The dissolved lubricant provides adequate lubrication to permit compaction and granule formation within the extruder but without the associated need for extrusion die cooling devices or controls. (Extrusion rate is much easier to control than the temperature profile across the exit nozzle.)

Reconsideration and allowance are respectfully requested.

For the Applicants,



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